

No. 20-55770

---

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT**

---

TIMOTHY ROBBINS, et al.,  
Respondents-Appellants,

v.

ALEJANDRO RODRIGUEZ, et al.,  
Petitioners-Appellees.

---

On Appeal from the United States District Court, Central District of California  
No. CV 07-3239-TJH (RNB)

---

**JOINT MOTION FOR 90 DAY EXTENSION TO FILE PETITION FOR  
PANEL REHEARING OR REHEARING EN BANC**

---

MICHAEL KAUFMAN  
mkaufman@aclusocal.org  
LIGA CHIA  
lchia@aclusocal.org  
ACLU Foundation  
of Southern California  
1313 West Eighth Street  
Los Angeles, CA 90017  
Telephone: (213) 977-5232

JUDY RABINOVITZ  
jrabinovitz@aclu.org  
MICHAEL TAN  
mtan@alcu.org  
ACLU Immigrants' Rights Project  
125 Broad Street, 18<sup>th</sup> Floor  
New York, NY 10004  
Telephone: (212) 549-2618  
Facsimile: (212) 549-26

AHILAN ARULANANTHAM  
arulanantham@law.ucla.edu  
UCLA School of Law  
Center for Immigration Law and  
Policy  
385 Charles Young Drive East  
Los Angeles, CA 90095  
Tel: 310-825-1029

JAYASHRI SRIKANTIAH  
jsrikantiah@law.stanford.edu  
Stanford Law School  
Immigrants' Rights Clinic  
Crown Quadrangle  
559 Nathan Abbott Way  
Stanford, CA 94305-8610  
Telephone: (650) 724-2442  
Facsimile: (650) 723-4426

SEAN COMMONS  
scommons@sidley.com  
ALEXANDRIA RUIZ (SBN 313286)  
aruiz@sidley.com  
SIDLEY AUSTIN LLP  
555 West Fifth Street, Suite 4000  
Los Angeles, California 90013-1010  
Telephone: (213) 896-6000  
Facsimile: (213) 896-6600

AVA GUO  
aguo@sidley.com  
SIDLEY AUSTIN LLP  
1501 K Street, N.W.  
Washington, D.C. 20005  
Telephone: (202) 736-8000  
Facsimile: (202) 736-8711

The parties respectfully request that this Court extend the deadline to file the Petition for Panel Rehearing or Rehearing En Banc (PFR/EB) by 90 days to afford the parties time to explore settlement negotiations. The Court granted the parties' two prior requests for an extension of the PFR/EB deadline.

The Memorandum in this Case was issued on October 19, 2021 (Dkt. 30). The parties first requested an extension from this Court on November 9, 2021, which was granted on November 10, 2021 (Dkt. 32). The parties submitted a second request for an extension on March 1, 2022, which the Court approved on March 21, 2022. The current due date for the PFR/EB is June 1, 2022. The parties respectfully request that the due date be extended by 90 days to August 30, 2022.

Good cause exists for this request. As previously disclosed to this Court, the parties agreed to mediate this matter under the supervision of a federal magistrate judge. The first formal mediation session was scheduled for April 26, 2022. However, due to illness, the magistrate judge was forced to reschedule the conference. The parties are considering dates in mid and late June for the rescheduled mediation. In the interim, the parties have engaged in extensive discussions over potential paths to settlement, including a Zoom meeting on February 9, 2022, attended by Plaintiffs' counsel, Defendants' counsel, and Defendant agency personnel. The parties intend to continue their informal negotiations prior to the rescheduled mediation.

Given the important interests at stake and the complexity of the issues for consideration, the parties require additional time to determine whether a settlement can be reached. A potential settlement may resolve all, or parts, of Petitioners' claims, including to the relief at issue in this appeal. As such, the parties agree that judicial economy would be best served by continuing to engage in settlement negotiations.

For the foregoing reasons, the parties respectfully request that the deadline to file the Petition for Panel Rehearing or Rehearing En Banc be extended by 90 days. The parties will notify the Court if any additional extensions are warranted because settlement discussions are ongoing.

Respectfully submitted

Dated: May 4, 2022

s/ Michael Kaufman  
MICHAEL KAUFMAN  
Counsel for Petitioners-Appellees

Dated: May 4, 2022

s/ Sarah Wilson (with permission)  
SARAH WILSON  
Counsel for Respondents-Appellants